



A PERFECT ENVIRONMENT

Residential ♦ Recreational ♦ Responsible

Chair
Larry Krause
Supervisors
Pete Van Horn
Christopher Smith
Edward Kranick
Ron Troy
Clerk/Treasurer
Mary Elsner

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING TUESDAY, NOVEMBER 27, 2018 – 7:00 P.M. DELAFIELD TOWN HALL – W302 N1254 MAPLE AVENUE, DELAFIELD, WI

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Citizen Comments – During the Public Comment period of the agenda, the Town Board welcomes comment from any member of the public, other than an elected Town Board member, on any matter not on the agenda. Please be advised that pursuant to State law, the Board cannot engage in a discussion with you but may ask questions. The Board may decide to place the issue on a future agenda for discussion and possible action. Each person wishing to address the Board will have up to five (5) minutes to speak. Speakers are asked to submit to the Town Clerk, a card providing their name, address, and topic for discussion.

The Board will also take comment from the public on agenda items as called by the Chair, but not during the Public Comment. Please note that once the Board begins its discussion of an agenda item, no further comment will be allowed from the public on that issue.
4. Approval of November 13, 2018, Town Board Minutes
5. Action on vouchers submitted for payment:
 - A. Report on budget sub-accounts and action to amend 2018 budget
 - B. 1) Accounts payable; 2) Payroll
6. Communications (*for discussion and possible action*)
 - A. John Moore (11/12/18), Re: Quiet Zone for Railroad Crossing at KE and Glacier Road
7. Unfinished Business
 - A. Discussion and possible action on potential purchase of highway trucks (tabled 11/13/18)
 - B. Captain Leffler, Presentation on findings of traffic study
8. New Business
 - A. None

Town of Delafield Board of Supervisors Meeting Agenda

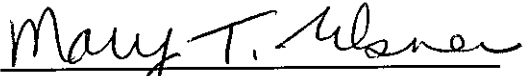
November 27, 2018

Page 2

9. Announcements and Planning items

- A. Next Plan Commission Meeting – December 4 (Quorum of Town Board Needed)
- B. Next Town Board Meeting – December 11
- C. Next park and Recreation Commission Meeting – December 13

10. Adjournment



Mary T. Elsner, CMC, WCMC
Town Clerk/Treasurer

Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. The Town Board may take action on any item on the agenda. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the Town Board of Supervisors. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Mary Elsner, Town Clerk, at W302 N1254 Maple Avenue, Delafield, WI 53018-7000. This agenda is for informational purposes only. Posted – 11/21/2018

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
November 13, 2018

Members Present: L. Krause, P. Van Horn, E. Kranick, R. Troy, C. Smith

Others Present: T. Barbeau, *Town Engineer*, D. Roberts, *Highway Superintendent*, Kevin Fitzgerald, *Plan Commission Chairman*, T. Dunker, *Waukesha County Sheriff's Department*, 4 citizens

Public Hearings: Prior to the start of the regular Town Board meeting, there will be two public hearings:

1. To consider a request by Michael Falk, N29 W29682 Franciscan Road for annexation of vacant property know as Tax Key No. DELT 0773-973 into the Lake Pewaukee Sanitary District (LPSD).

Matt Retzak, Bartelt, stated that his company is working on a home design for the subject property. He met with Waukesha County, and it was determined that a septic system was not suitable for the property because it is landlocked by LPSD. Final engineering is still in the works.

2. To consider the amendment of several sections of Chapter 17, Zoning and Chapter 18, Land Division and Development Control of the municipal code for the Town of Delafield.

Chairman Krause stated that a public hearing was held in September and proposed changes were made.

Engineer Barbeau summarized the following proposed changes to the subject sections:

1. *Section 17.05 3. C. - Public hearings for conditional uses shall be jointly held before the Town Board and Plan Commission.*
2. *17.05 4. F. 8. - Traffic study requirement changes allow the Plan Commission to decide whether or not a traffic study should be performed and standards by which it must be prepared. Also, a traffic study is required for churches, synagogues, other places of religious assembly and commercial planned unit development conditional uses.*
3. *Section 17.05 D. 2. Revise the noise standard to state "Noise after the conversion shall be no greater than the noise level prior to the conversion".*
4. *17.05 D. 2. j. - Hours and days of operation shall be no more than 7:00 AM to 7:00 PM, Monday through Sunday; k. - No more than 20 drop-offs or withdrawals of allows storage items per week.*
5. *17.05 4. G. 2. - The Plan Commission will require the applicant to provide an odor control plan for hobby kennels.*
6. *17.05 5. N. c. - Applicant shall submit a manure management plan in accordance with Waukesha County Environmental Health Division.*
7. *17.05 5. U. In-law units - The definition and regulations referencing in-law suites were removed from the proposed ordinance.*
8. *Bulk storage at greenhouses - This will be controlled by the plan of operation and site plan submitted by the applicant.*
9. *Section 17.05 4. E. 6. - Storm Water Requirements - The applicant must meet all requirements of Waukesha County.*

For all developments, 40% of the PUD area has to be set aside for permanent common open space; except the 40% permanent common open space is not required if all lots in the PUD are single-family residential lots and they each meet a minimum lot size of 5 acres or greater. The overall density cannot exceed the maximum density allowed by applicable laws and ordinances.

Engineer Barbeau was directed to revise 17.05 5. M. 2. e. to read: "The application and all data and information pertaining thereto shall be referred to the Plan Commission and Town Board for public hearing..."

First order of business: Call to Order
Chairman Krause called the meeting to order at 7:26 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments
There were no citizen comments.

Fourth order of business: Approval of October 23, 2018, Town Board Minutes
MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO APPROVE THE MINUTES AS PRESENTED BY THE CLERK. MOTION CARRIED.

Fifth order of business: Action on vouchers submitted for payment:

A. Report on budget sub-accounts and action to amend 2018 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #60973 – #61014 IN THE AMOUNT OF \$109,724.35

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$59,587.41

MR. TROY/MR. KRANICK

MOTION CARRIED.

Sixth order of business: Communications (*for discussion and possible action*)

A. Eric J. Larson (10/26/18), Re: Open Meetings Laws Recent Legislation and Interpretation Legal Recommendations

Chairman Krause stated the importance of these new State laws and directed the clerk to contact Attorney Larson with questions.

Seventh order of business: Unfinished Business

A. Vote on Proposed 2019 Budget (tabled 10/23/18)

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO REMOVE FROM THE TABLE. MOTION CARRIED.

MOTION MADE BY MR. SMITH, SECONDED BY MR. TROY TO RECOMMEND APPROVAL OF THE PROPOSED 2019 BUDGET FOR THE PURPOSE OF TAKING TO THE PUBLIC HEARING TO BE ADOPTED BY THE ELECTORATE. MOTION CARRIED.

B. Discussion and possible action on potential purchase of highway trucks

Chairman Krause requested further detail on the two quotes presented this evening. The next discussion will be on financing the vehicle. The treasurer and highway superintendent will meet with Mr. Kranick to review finance options and bring back to the Town Board for consideration.

MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK TO TABLE ACTION ON POTENTIAL PURCHASE OF HIGHWAY TRUCKS. MOTION CARRIED.

Eighth order of business: New Business

A. Consideration and possible action on a request from Michael Falk, N29W29682 Franciscan Road, to annex lands located north of the westerly end of Hillcrest Drive into the Lake Pewaukee Sanitary District.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO HONOR THE REQUEST FROM MICHAEL FALK TO ANNEX LANDS LOCATED NORTH OF THE WESTERLY END OF HILLCREST DRIVE INTO THE LAKE PEWAUKEE SANITARY DISTRICT. MOTION CARRIED.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO TAKE ITEM 8G OUT OF ORDER. MOTION CARRIED.

G. Consideration and possible action on a request to reduce the letter of credit for the Hunt Club Farms subdivision.

MOTION MADE BY MR. SMITH, SECONDED BY MR. KRANICK TO REDUCE THE LETTER OF CREDIT FOR HUNT CLUB FARMS SUBDIVISION BY \$56,995 LEAVING A BALANCE OF \$52,609. MOTION CARRIED.

B. Consideration and possible action on the adoption of an ordinance to amend Chapter 17 of the Town of Delafield code of ordinances related to changes due to Act 67.

Mr. Troy referenced Section 17.05 E. 1., asking for clarification re: classification of use. He stated the importance of the Town Board making the determination.

Discussion followed on the proposed removal of self-storage facilities. The general consensus of the Town Board is they are in favor of self-storage units in the Town as a conditional use with standards.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO REFER THIS MATTER BACK TO THE PLAN COMMISSION FOR CHANGES WITH RESPECT TO SELF STORAGE UNITS BEING ALLOWED AS A CONDITIONAL USE WITH STANDARDS. MOTION CARRIED.

C. Consideration and possible action on the adoption of an ordinance to amend Chapter 18 of the Town of Delafield code of ordinances related to changes due to Act 67.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO TABLE CHAPTER 18 UNTIL CHAPTER 17 IS READY TO ACTED ON. MOTION CARRIED.

D. Consideration and possible action on a request for a chicken license at W297 N2997 Oakwood Grove Road.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO APPROVE THE CHICKEN LICENSE AT W297 N2997 OAKWOOD GROVE RD.

AMENDED MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO APPROVE THE CHICKEN LICENSE AT W297 N2997 OAKWOOD GROVE ROAD FOR 2018 AND 2019. MOTION CARRIED.

E. Consideration and possible action on a request to reduce the letter of credit for Hawks Haven subdivision, and approval of a resolution declaring "Final Acceptance" of the improvements as defined in the Developer's Agreement.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO REDUCE THE LETTER OF CREDIT FOR HAWKS HAVEN SUBDIVISION BY \$18,000 LEAVING A BALANCE OF \$34,900. MOTION CARRIED.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO APPROVE THE RESOLUTION DECLARING FINAL ACCEPTANCE OF THE IMPROVEMENTS AS DEFINED IN THE DEVELOPER'S AGREEMENT FOR DALE BERGMAN. MOTION CARRIED.

F. Consideration and possible action on a request to reduce the letter of credit for the White Oak Conservancy subdivision.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO REDUCE THE LETTER OF CREDIT FOR WHITE OAK CONSERVANCY SUBDIVISION BY \$222,246.95 LEAVING A BALANCE OF \$556,062.95. MOTION CARRIED.

H. Consideration and possible action on a request to reduce the letter of credit for the Woodridge Estates II subdivision.

Mr. Kranick recused himself from the discussion and left the meeting room.

Engineer Barbeau stated that the final topsoil of shouldering in Woodridge Estates II has not yet been completed, and the proposed \$76,790 reduction to the letter of credit is adequate to complete the project. The general consensus of the Town Board is to add an additional \$40,000-\$50,000 to the remaining balance.

MOTION MADE BY MR. TROY, SECONDED BY MR. SMITH TO TABLE TO ALLOW THE TOWN ENGINEER TO COME BACK WITH A NEW CALCULATION. MOTION CARRIED.

I. Consideration and possible action regarding a request for a change order related to vacuum excavating utilities along Bryn Drive.

Engineer Barbeau stated that potholing was performed to determine depth of utilities. Proposed ditch work along Bryn Drive was eliminated due to depth of utilities. The original contact price was \$369,779.00 and this change order will change it to \$312,675.60.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO APPROVE CHANGE ORDER NO. 2 FOR PAYNE AND DOLAN DATED NOVEMBER 6, 2018, AS PREPARED. MOTION CARRIED.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO APPROVE THE APPLICATION FOR PAYMENT NO. 2 (FINAL) FOR THE 2018 ROAD IMPROVEMENT PROGRAM TO PAYNE AND DOLAN IN THE AMOUNT OF 47,198.90. MOTION CARRIED.

J. Appointment to Plan Commission

Chairman Krause stated that we have 2 positions open and recommended the addition of Billy Cooley to the Commission to fill the vacancy that will expire in April 2021.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO ACCEPT CHAIRMAN KRAUSE'S RECOMMENDATION TO APPOINT BILLY COOLEY TO THE PLAN COMMISSION. MOTION CARRIED.

K. Appointment to Park and Recreation Commission

Chairman Krause stated that this is a 4-year term. He recommended Christie Dionisopoulos stating that she has a tremendous amount of experience in park and recreation and will be a welcome addition.

MOTION MADE BY MR. SMITH, SECONDED BY MR. TROY TO APPROVE CHAIRMAN KRAUSE'S RECOMMENDATION TO APPOINT CHRISTIE DIONISOPOULOS TO THE PARK AND RECREATION COMMISSION. MOTION CARRIED.

Ninth Order of Business: Announcements and Planning Items

- A. Budget Hearing – November 14 @ 7:00 p.m.
- B. Next Town Board Meeting – November 27
- C. Next Plan Commission Meeting – December 4 (Quorum of Town Board Needed)
- D. Next Park and Recreation Commission Meeting – December 13

Tenth Order of business: Adjournment

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO ADJOURN AT 8:32 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Elsner, CMC, WCMC
Town Clerk/Treasurer

Minutes approved on:

November 12, 2018

John Moore
N43W28217 Somerset Court
Town of Delafield, WI 53072

Larry Krause
Chairman of the Town of Delafield
W302N1254 Maple Avenue
Delafield, WI 53018-7000

SUBJECT: Quiet Zone for Railroad Crossing at KE and Glacier Rd

Dear Larry,

On behalf of the Somerset Moors subdivision and other Town of Delafield residents near the railroad crossing at KE and Glacier Road, I would like to propose that the Town of Delafield apply for Quiet Zone status for that crossing.

After having been in touch with the US Federal Railroad Agency (FRA), the Wisconsin Department of Transportation (WI DOT), our Town Engineer, Waukesha County, as well as officials from our neighboring municipalities (Village of Hartland, City of Pewaukee, and Village of Pewaukee), my basic understanding of work to be done on this crossing is as follows.

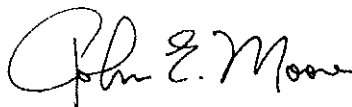
In 2016, the FRA granted the State of Wisconsin approximately \$3mn for safety enhancements to 10 railroad crossings in the Lake Country area. The WI DOT is now implementing this "Sealed Corridor Project," the entirety of which is scheduled to be complete by 2020. There is no cost to local municipalities for these safety upgrades.

Our railroad crossing at KE & Glacier is one of ten crossings included in this Sealed Corridor Project, and the KE/Glacier crossing is to receive a quad-gate crossing system, which will replace the current 2-gate system. WI DOT has confirmed to me that the KE/Glacier crossing upgrade work will happen by the end of 2019. FRA has confirmed to me that such a quad-gate system, along with adjacent crossings being at least ½ miles away on either side, would satisfy their requirements for Quiet Zone status. (No hardened medians would be required here for Quiet Zone status, as we've seen installed at Village of Hartland crossings).

Essentially, I have been able to confirm that FRA's Quiet Zone status is attainable for the Town of Delafield's KE/Glacier crossing, at no capital cost to the Town, once the WI DOT installs the new quad-gate system there by the end of next year. I am prepared to summarize my research and findings to the Board as soon as the next Town Board meeting, and I can provide much more detail and required next steps at that time.

If possible, I would like to request that this topic be added to the agenda of the Board's next meeting.

Best regards,



John Moore



101 E. Wilson Street
 2nd Floor
 PO Box 8943
 Madison, WI 53708-8943

608 266-1370 INFORMATION
 608 266-0034 LOANS
 608 267-2787 FAX
 bcpl.wisconsin.gov

Jonathan Barry, *Executive Secretary*

Fact Sheet - General Obligation Loans

- Eligible Borrowers:** Wisconsin towns, villages, cities, counties, school districts, technical college districts, public inland lake protection and rehabilitation districts, town sanitary districts, metropolitan sewerage districts, metropolitan sewerage systems, joint sewerage systems, consortiums, cooperative educational service agencies (CESAs), federated public library systems, and drainage districts.
- Loan Process:** Simple and transparent, with funds available 30-45 days from initial application.
- Loan Security:** Loans become a general obligation of the borrower and require the borrower to levy a tax sufficient to make principal and interest payments when due.
- Loan Purpose:** Loans of 10 years or less may be made to facilitate the performance of any power or duty of the borrowing municipality, including operations and maintenance. Loans greater than 10 years are restricted to the financing or refinancing of public purpose projects including "the acquisition, leasing, planning, design, construction, development, extension, enlargement, renovation, rebuilding, repair or improvement of land, waters, property, highways, buildings, equipment, or facilities", or any purpose otherwise allowed by law.
- Economic Development Lending:** BCPL is a major source of funding for economic development projects throughout the State of Wisconsin including pass-through loans for private development, funding development incentives, TID infrastructure loans, land acquisition and development for business parks, and others. BCPL can provide critical flexibility in the repayment schedule if income projections are delayed.
- Payments:** Annual payments are due March 15 each year. Loans funded between September 1 and March 14 do not have a payment scheduled for the following March 15. BCPL can provide custom amortization schedules for projects that may take time to generate expected revenues, or that need coordination with other debt payment schedules.
- Prepayment:** Prepayments are allowed without penalty after January 1 and prior to September 1 each year, with 30 days prior written notice. This flexibility is extremely valuable, as future budget demands can be difficult to forecast. Many finance directors get stuck with higher rate bonds and are forced to wait years prior to refunding opportunities. This is never a problem if you borrow from BCPL.
- Terms:** 2 to 20 year fixed rate loans.
- Current Rates:**
- | Loan Term | Rate |
|-------------|-------|
| 2 years | 4.25% |
| 3-5 years | 4.25% |
| 6-10 years | 4.50% |
| 11-20 years | 4.75% |
- Rate Lock:** Market-based interest rates are locked at the time of application for a period of 60 days at no cost to Borrower. This rate also remains locked following final board approval and throughout the 4-month draw period, which helps provide financial stability during the entire loan process.
- Fees:** No application fees, origination fees or prepayment fees. No fees period!
- Best Part:** Net interest earned by BCPL is distributed to communities statewide for the funding of public school library materials. Check out the BCPL website to see the annual contribution made to your school district. This annual payment effectively reduces local tax levies by providing schools another source of funding. How many bankers or bond dealers can say that?

Mary Elsner

From: Baisden, Keith S. <kbaisden@townbank.us>
Sent: Wednesday, November 21, 2018 10:22 AM
To: Mary Elsner
Subject: RE: Borrowing for \$245,000.00 Highway Truck [EXTERNAL EMAIL - CAUTION]

Thanks for discussing this Mary. As we discussed, I don't think there will be a great difference in interest expense going from a taxable rate of 4.4% (if the pooled rate interest rates increase in December) and a bank qualified tax-exempt rate as the loan amount is \$245,000.00. Especially if the Town's attorney will charge you for an opinion.

The monthly principal and interest payment on a \$245,000.00 loan at the proposed 4.4% for seven (7) years would be \$3,394.16/month. Total interest expense over the seven(7) years would total:

\$3,394.16 x 84 months = \$285,109.44

Less the principal amount -245,000.00

Total Interest Expense \$ 40,109.44 This is the total interest expense over the seven(7) years. Would be less if the loan was prepaid.

Please review and call or e-mail me with questions or concerns.

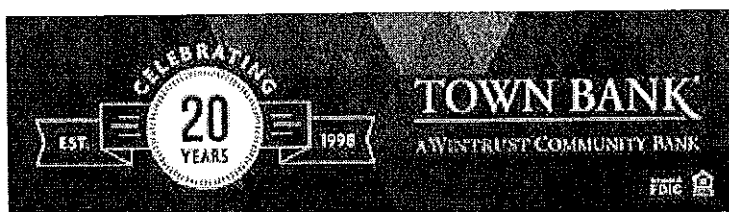
Have a wonderful Thanksgiving Mary.

Keith S. Baisden
Senior Vice President, Business Banking
Town Bank, A Wintrust Community Bank
N35 W23877 Highfield Court
Pewaukee, WI 53072

e-mail: kbaisden@townbank.us

T: 262-432-6256

M: 414-750-3390



FYI

TOWN OF DELAFIELD
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town of Delafield Town Board and a quorum of the Plan Commission on Tuesday, December 4, 2018, starting at 7:00 p.m., at the Delafield Town Hall, W302 N1254 Maple Avenue, Delafield, WI 53018. The purpose of the hearing is to consider a request by Joseph Gliniecki, W300 S1350 Brandybrook Road, Town of Delafield, to rezone a 4.59 acre parcel of land located at W300 S1350 Brandybrook Road from A-1 Agricultural District to A-2 Rural Home District. The purpose of the rezoning is to allow the owner to come into conformance with the required open space and to allow for an addition to his house. The property is also known as Tax Key No. DELT 0856-981.

For information regarding the public hearing, please contact Tim Barbeau, Town Engineer at (262) 317-3307 or Mary T. Elsner, Town Clerk at (262) 646-2398.

All interested parties will be heard.

TOWN OF DELAFIELD
Lawrence G. Krause, Chairman
W302 N1254 Maple Avenue
Delafield, WI 53018

Waukesha Freeman. Please run this notice in a column on 11/20/18 and 11/27/18.